

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

EVAN FERMAINT, an Individual;)	
)	CIVIL ACTION
Plaintiff,)	
)	Case No. 18-cv-7325
v.)	
PLANET HOME LENDING, LLC, a)	JURY TRIAL DEMANDED
Delaware limited liability company and)	
MORTGAGE CONTRACTING)	
SERVICES, LLC, a Delaware limited)	
liability company;)	
)	
Defendants.)	

JOINT UNOPPOSED MOTION FOR STATUS HEARING

Plaintiff, EVAN FERMAINT (“Plaintiff”) and Defendant PLANET HOME LENDING, LLC, by and through their undersigned counsels and pursuant to Federal Rule of Civil Procedure 16, respectfully request that this Court set a status hearing in this matter. In support thereof, Plaintiff states as follows:

1. On November 2, 2018, Plaintiff initiated this action against Defendants.
2. Defendants have all filed appearances and answers to the Plaintiffs’ complaint.
3. The Parties have engaged in written discovery and oral discovery.
4. The Defendants filed motions for summary judgment on December 31, 2020 (Document # 156 and 159).
5. The Defendants’ summary judgment motions were fully briefed in accordance with the briefing schedule set by the court on December 15, 2020 (Document # 152) and modified on February 16, 2021 (Document # 169). The Defendants’ Joint Reply in support of their motions was filed on February 25, 2021 (Document # 170).

6. In the December 15, 2020 briefing order (Document # 152), the court stated that discovery as to punitive damages will be permitted if any claims permitting punitive damages survive summary judgment.

7. The Parties have not received any instruction from the court subsequent to the court's February 16, 2021 order.

8. The Movants request that a status hearing be scheduled in this matter for the Parties to report to the court on the status of the litigation.

9. This motion is made for good cause, not meant for purposes of unnecessary delay, and will not prejudice any party in the litigation.

10. Movants' counsel has conferred with counsel for the Defendant MORTGAGE CONTRACTING SERVICES, LLC, who does not oppose the motion.

WHEREFORE, Plaintiff EVAN FERMAINT and Defendant PLANET HOME LENDING, LLC, respectfully request that this Court grant their motion and set a status hearing in this matter.

Respectfully submitted,

/s/ David R. Sweis
Attorney for the Plaintiff

David R. Sweis, Esq.
Att. No. 6239673
Sweis Law Firm, P.C.
53 W. Jackson Blvd, Suite 1001
Chicago, IL 60601
Ph. 630-575-8505
david@sweislaw.com

/s/ Robert E. Haney
Attorney for the Defendant
PLANET HOME LENDING, LLC

Robert E. Haney
Att. No. 6189905
Noonan & Lieberman
105 W. Adams Street, Suite 1800
Chicago, Illinois 60603
312-431-1455
rhaney@noonanandlieberman.com

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the foregoing JOINT UNOPPOSED MOTION FOR STATUS HEARING were served by electronic filing with the clerk of the Court (ECF) on the following parties or their attorneys:

Attorney for the Defendant
PLANET HOME LENDING, LLC
Robert E. Haney
Noonan & Lieberman
105 W. Adams Street, Suite 1800
Chicago, Illinois 60603
rhane@noonanandlieberman.com

Attorney for the Defendant
MORTGAGE CONTRACTING
SERVICES, LLC
Geoffrey A. Belzer
WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP
55 W. Monroe St., Ste. 3800
Chicago, IL 60603
geoffrey.belzer@wilsonelser.com

on June 17, 2022.

Respectfully submitted,

/s/ David R. Sweis
Attorney for the Plaintiff

David R. Sweis, Esq.
Att. No. 6239673
Sweis Law Firm, P.C.
53 W. Jackson Blvd, Suite 1001
Chicago, IL 60601
Ph. 630-575-8505
david@sweislaw.com